

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN EXPRESS FINANCIAL
ADVISORS INC.,

Plaintiff,

v.

MARY R. DeGON and
MATTHEW M. BRUCE,

Defendants.

Civil Action No. _____

04 - 10979 RGS

**MOTION FOR EXPEDITED HEARING ON PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTIVE RELIEF**

The plaintiff American Express Financial Advisors, Inc. ("American Express"), respectfully requests that the Court schedule a hearing on its Motion for a Preliminary Injunction on the earliest date available to the Court during the week of May 17, 2004. In support of this Motion, the plaintiff states as follows:

1. American Express has filed a Motion for a Preliminary Injunction seeking to restrain the defendants Mary R. DeGon and Matthew M. Bruce from further violating the terms of a Franchise Agreement. More specifically, the defendants, who have terminated their franchise relationship with American Express, continue to: a) hold themselves out as franchisees of American Express; b) use American Express' Proprietary Marks; c) use American Express' signs and advertising materials; d) use American Express' confidential information; e) use American Express' telephone number and

facsimile number; f) retain all client files; and g) access American Express' computers.

2. American Express will suffer irreparable harm if the defendants are not restrained from engaging in the aforementioned conduct, and it is imperative that this matter be brought to hearing as soon as possible.

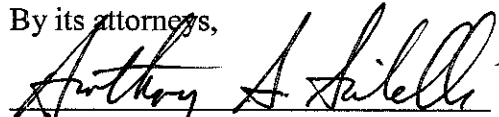
WHEREFORE, the plaintiff American Express Financial Advisors, Inc. respectfully requests that the Court schedule an expedited hearing on its Motion for a Preliminary Injunction.

LOCAL RULE 7.1 CERTIFICATE

The undersigned counsel was unable to confer with opposing counsel on the subject of this motion as no counsel has yet to enter an appearance for the defendants.

Respectfully submitted,
AMERICAN EXPRESS FINANCIAL
ADVISORS, INC.

By its attorneys,

A handwritten signature in black ink, appearing to read "Anthony A. Scibelli", is written over a horizontal line.

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Dated: May 14, 2004